

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**JUSTIN SHERWOOD,**

**Plaintiff,**

**-v-**

**THE CITY OF NEW YORK, et al.,**

**Defendants.**

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**REQUEST FOR CERTIFICATE  
OF DEFAULT**

**22-cv-07505-BMC**

TO: BRENNAN B. MAHONEY  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Please enter the default of defendant John Madera pursuant to Rule 55(a) of the Federal Rules of Civil Procedure for failure to plead or otherwise defend this action as fully appears from the court file herein and from the attached declaration of Remy Green.

DATED: January 25, 2023

/s/

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J. Remy Green

*Honorific/Pronouns:*

*Mx., they/their/them*

**Cohen&Green P.L.L.C.**

1639 Centre St., Suite 216

Ridgewood, New York 11385

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**JUSTIN SHERWOOD,**

**Plaintiff,**

**-v-**

**THE CITY OF NEW YORK, et al.,**

**Defendants.**

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**DECLARATION SUPPORTING  
PLAINTIFF’S APPLICATION  
FOR A CLERK’S CERTIFICATE  
OF DEFAULT AS TO  
DEFENDANT JOHN MADERA**

**22-cv-07505-BMC**

REMY GREEN hereby declares under penalties of perjury that the following is true:

1. I am counsel for Plaintiff Justin Sherwood.
2. I make this Declaration in support of Plaintiff’s application for a Clerk’s Certificate of Default as to Defendant John Madera.
3. Upon information and belief, Defendant John Madera is a competent adult who is not in the military.
4. Plaintiff commenced this action on December 10, 2022. (*See* ECF No. 1).
5. On December 20, 2022, Plaintiff served Defendant John Madera with the Summons running to him, as well as the Complaint in this matter, as set out in the affidavit of service filed on the docket at ECF No. 11 (e.g., by delivering a copy to Principal Jackson at his place of employment and mailing a copy).
6. Defendant John Madera has failed to appear, answer, or otherwise defend this action.
7. Rather, the Corporation Counsel has filed an answer on behalf of the City — yet, Defendant Madera has not appeared.
8. At the initial pre-trial conference on January 25, 2023, the Court directed

Plaintiff to file for a clerk's default.

9. Based on the foregoing, and the record in this case, Plaintiff respectfully requests that the Clerk of the Court enter a Clerk's Certificate of Default as to Defendant John Madera.

Dated: Brooklyn, New York  
January 25, 2023

/s/  
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REMY GREEN